

Exhibit A

**From:** [Weiland, William H. \(CIV\)](#)  
**To:** [MacLean, Emi](#)  
**Cc:** [Bansal, Jessica](#); [Arulanantham, Ahilan](#); [Crew, Eric](#); [Young, Amanda](#); [Sanchez, Diana](#); [Cappelletti, Daniel \(CIV\)](#)  
RE: NTPSA II--Production Ordered  
Monday, October 20, 2025 2:44:43 PM  
**Subject:** [image001.png](#)  
**Date:**  
**Attachments:**

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Emi,

Good afternoon. Defendants are still reviewing the Court's order and lifting those assertions identified by the Court. Please note, Defendants are also likely to move for reconsideration, as the Court's analysis appears to have missed that many of these privilege assertions pertain to policies that are wholly irrelevant to TPS, such that the decision date for the terminations should not have been dispositive (nor the determination to pierce the privilege due to the importance of TPS). Defendants also note Plaintiffs did not challenge any of the LEP designations, none of which relate to information relevant to TPS determinations, which is why no declaration on those was provided to the Court – a matter Defendants are considering including in their motion as well.

That is, unless the parties can reach some middle ground that avoids having to litigate this further. It seems clear that pre-decisional communications not related to this case is not what Plaintiffs were seeking. Is there some room for compromise?

Finally, contrary to your assertion, the Court did not specifically order every document marked with DPP to be produced immediately, and going through the documents withheld to determine how her ruling applies will require substantial review that will not be completed on your accelerated timeline below. That review is underway, and Defendants aim to produce at least a tranche of those documents that pertain to the TPS decisions in this case later this week.

Best,  
Will

William H. Weiland  
(202)598-5622

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**From:** Cappelletti, Daniel (CIV) <Daniel.Cappelletti@usdoj.gov>  
**Sent:** Monday, October 20, 2025 1:30 PM  
**To:** Emi MacLean <EMacLean@aclunc.org>; Weiland, William H. (CIV) <William.H.Weiland@usdoj.gov>  
**Cc:** Jessica Bansal Contact <jessica@ndlon.org>; Ahilan Arulanantham <arulanantham@law.ucla.edu>; Erik Crew <ecrew@haitianbridge.org>; Amanda Young <ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>  
**Subject:** RE: NTPSA II--Production Ordered

Hello Emi,

Apologies for the delay and for missing your call, we are working our response with the agency.

Best,  
Daniel

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**From:** Emi MacLean <[EMacLean@aclunc.org](mailto:EMacLean@aclunc.org)>  
**Sent:** Friday, October 17, 2025 8:31 PM  
**To:** Cappelletti, Daniel (CIV) <[Daniel.Cappelletti@usdoj.gov](mailto:Daniel.Cappelletti@usdoj.gov)>; Weiland, William H. (CIV) <[William.H.Weiland@usdoj.gov](mailto:William.H.Weiland@usdoj.gov)>  
**Cc:** Jessica Bansal Contact <[jessica@ndlon.org](mailto:jessica@ndlon.org)>; Ahilan Arulanantham <[arulanantham@law.ucla.edu](mailto:arulanantham@law.ucla.edu)>; Erik Crew <[ecrew@haitianbridge.org](mailto:ecrew@haitianbridge.org)>; Amanda Young <[ayoung@aclunc.org](mailto:ayoung@aclunc.org)>; Diana Sanchez <[DianaSanchez@aclusocal.org](mailto:DianaSanchez@aclusocal.org)>  
**Subject:** [EXTERNAL] RE: NTPSA II--Production Ordered

Daniel and Will,

We have not received a response to the email below. Please reply by 9 am PST on Monday regarding Defendants' compliance with Judge Kim's discovery order. We will seek judicial intervention on this on Monday if we cannot reach resolution.

Best,  
Emi



Emi MacLean  
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ACLU Foundation of Northern California  
39 Drumm St., San Francisco, CA 94111  
(929)375-1575 | [emaclean@aclunc.org](mailto:emaclean@aclunc.org)

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**From:** Emi MacLean  
**Sent:** Thursday, October 16, 2025 4:37 PM  
**To:** Cappelletti, Daniel (CIV) <[daniel.cappelletti@usdoj.gov](mailto:daniel.cappelletti@usdoj.gov)>; Weiland, William H. (CIV) <[william.h.weiland@usdoj.gov](mailto:william.h.weiland@usdoj.gov)>  
**Cc:** Jessica Bansal Contact <[jessica@ndlon.org](mailto:jessica@ndlon.org)>; Ahilan Arulanantham <[arulanantham@law.ucla.edu](mailto:arulanantham@law.ucla.edu)>; Erik Crew <[ecrew@haitianbridge.org](mailto:ecrew@haitianbridge.org)>; Amanda Young

<ayoung@aclunc.org>; Diana Sanchez <DianaSanchez@aclusocal.org>

**Subject:** NTPSA II--Production Ordered

Will and Daniel,

In light of Judge Kim's order (Dkt. 155, attached), Defendants are compelled to produce all documents or portions of documents Defendants have withheld pursuant to the deliberative process privilege among the responsive documents Defendants have identified, as well as the specific documents or portions of documents for which Judge Kim overruled the attorney-client privilege or law enforcement privilege. Because these documents already have been gathered by Defendants, and it is just a matter of producing or re-producing specific documents without redactions, please confirm that Defendants will produce these documents no later than next Tuesday, October 21. It is critical that Plaintiffs receive these documents as soon as possible given the ongoing summary judgment briefing. If we cannot reach agreement on a date certain by when Defendants will produce these materials, then we will seek guidance from Judge Kim.

Best,

Emi



**Emi MacLean**

Pronouns: she/her/hers

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